

17157 U.S.PTO
012604

UTILITY PATENT APPLICATION TRANSMITTAL
(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 04860.P1637C2
(maximum 12 characters)

First Named Inventor John Harvey, III, et al.

Title : RETRIEVAL OF SERVICES BY ATTRIBUTE

Express Mail Label No. EV 409 362 325 US

031356 U.S.PTO
107765325

012604

ADDRESS TO: **Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. **Fee Transmittal Form (e.g., PTO/SB/17)**
(Submit an original and a duplicate for fee processing)
2. **Applicant Claims Small Entity Status. (37 CFR 1.27)**
3. **Specification (Total Pages 36)**
(preferred arrangement set forth below)
 - Descriptive Title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. **Drawings(s) (35 USC 113) (Total Sheets 16)**
5. **Oath or Declaration (Total Pages 2)**
 - a. Newly Executed (Original or Copy)
 - b. Copy from a Prior Application (37 CFR 1.63(d))
(for Continuation/Divisional with Box 18 completed)
 - i. **DELETIONS OF INVENTOR(S)** Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
 - c. Unsigned.
6. **Application Data Sheet. (37 CFR 1.76)**
7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & documents(s))

10. a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)
 b. Power of Attorney

11. English Translation Document (if applicable)

12. a. **Information Disclosure Statement (IDS)/PTO-1449**
 b. Copies of IDS Citations

13. **Preliminary Amendment**

14. **Return Receipt Postcard (MPEP 503) (Should be specifically itemized)**

15. Certified Copy of Priority Document(s) (if foreign priority is claimed)

16. Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.

17A. Claim for Foreign Priority

17B. **Other:** Submission of Formal Drawings transmittal with 16 sheets of drawings; and
Petition for Suspension of Action (1 pg.)

17C. Pursuant to 37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

18. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title (e.g., by way of preliminary amendment), or in an Application Data Sheet Under 37 C.F.R. 1.76:

Continuation _____ Divisional _____ Continuation-in-part (CIP)
Of Prior Application No: 08/848,543 Examiner Lao, Sue X. Group Art Unit 2126
(which is a continuation/ divisional/ CIP of prior application no. 08/435,576,
which is a continuation/ divisional/ CIP of prior application no.) (List entire chain of priority)

Applicant(s): Also include a Preliminary Amendment to amend the specification to claim priority

For CONTINUATION AND DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. Correspondence Address

Customer Number or Bar Code Label

or

Correspondence Address Below

(Insert Customer No. or Attach Bar Code Label here)

NAME James C. Schell Jr.

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

ADDRESS 12400 Wilshire Boulevard

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34
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FEE TRANSMITTAL FOR FY 2004

(FY 2004 Begins 10/01/2003)

TOTAL AMOUNT OF PAYMENT (\$) 1,008.00

Completer if Known:

Application No. _____

Filing Date January 26, 2004

First Named Inventor John Harvey, III, et al.

Examiner Name _____

Art Unit _____

Attorney Docket No. 04860.P1637C2

Applicant claims small entity status. See 37 CFR 1.27.

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None

Deposit Account

Deposit Account Number : 02-2666

Deposit Account Name: _____

The Director is Authorized to do the following with respect to the above-identified Deposit Account:

Charge fee(s) indicated below.

Credit any overpayments.

Charge any additional fees during the pendency of this application.

Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

Charge fee(s) indicated below except for the filing fee.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility application filing fee	<u>770.00</u>
1002	340	2002	170	Design application filing fee	_____
1003	530	2003	265	Plant filing fee	_____
1004	770	2004	385	Reissue filing fee	_____
1005	160	2005	80	Provisional application filing fee	_____

SUBTOTAL (1)\$ 770.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims	Fee from below	Fee Paid
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Total Claims 26 - 20 = 6 X 18.00 = 108.00

Independent Claims 3 - 3 = 0 X 86.00 = 0

Multiple Dependent Claims 0 X 0 = 0

**Or number previously paid, if greater; For Reissues, see below.

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	**Reissue independent claims over original patent

FEE CALCULATION (continued)

3. ADDITIONAL FEES

<u>Larg Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
F Fee Code (\$)	F e Code (\$)		
1051 130	2051 65	Surcharge - late filing fee or oath	_____
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	_____
1053 130	1053 130	Non-English specification	_____
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	_____
1813 8,800	1813 8,800	Request for inter parties reexamination	_____
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	_____
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	_____
1251 110	2251 55	Extension for reply within first month	_____
1252 420	2252 210	Extension for reply within second month	_____
1253 950	2253 475	Extension for reply within third month	_____
1254 1,480	2254 740	Extension for reply within fourth month	_____
1255 2,010	2255 1,005	Extension for reply within fifth month	_____
1401 330	2401 165	Notice of Appeal	_____
1402 330	2402 165	Filing a brief in support of an appeal	_____
1403 290	2403 145	Request for oral hearing	_____
1451 1,510	1451 1,510	Petition to institute a public use proceeding	_____
1452 110	2452 55	Petition to revive - unavoidable	_____
1453 1,330	2453 665	Petition to revive - unintentional	_____
1501 1,330	2501 665	Utility issue fee (or reissue)	_____
1502 480	2502 240	Design issue fee	_____
1503 640	2503 320	Plant issue fee	_____
1460 130	1460 130	Petitions to the Commissioner	_____
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	_____
1806 180	1806 180	Submission of Information Disclosure Stmt	_____
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	_____
1809 770	2809 385	For filing a submission after final rejection (see 37 CFR 1.129(a))	_____
1814 110	2814 55	Statutory Disclaimer	_____
1810 770	2810 385	For each additional invention to be examined (see 37 CFR 1.129(b))	_____
1801 770	2801 385	Request for Continued Examination (RCE)	_____
1802 900	1802 900	Request for expedited examination of a design application	_____
1504 300	1504 300	Publication fee for early, voluntary, or normal pub.	_____
1505 300	1505 300	Publication fee for republication	_____
1803 130	1803 130	Request for voluntary publication or republication	_____
1808 130	1808 130	Processing fee under 37 CFR 1.17(i) (except provisionals)	_____
1454 1,330	1454 1,330	Acceptance of unintentionally delayed claim for priority	_____

Other fee (specify) Petition for Suspension of Action (1 page) 130.00

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid SUBTOTAL (3)\$ 130.00

SUBMITTED BY:

Typed or Printed Name: James C. Scheller Jr.

Signature: J. Scheller Date: 1/26/2004

Reg. Number: 31,195 Telephone Number: (408) 720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

John Harvey, III, et al.

Application No. _____

Filed: January 26, 2004

For: RETRIEVAL OF SERVICES BY
ATTRIBUTE

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Examiner: Not yet assigned

Art Unit: Not yet assigned

PETITION FOR SUSPENSION OF ACTION
UNDER 37 C.F.R. 1.103

Sir:

Applicant hereby petitions for the suspension of action in this application. At the present time, no outstanding action exists in this application. The suspension of action is requested for the reasonable time period of three months, and a check is enclosed for the necessary fee under 37 C.F.R. 1.17(i).

Please charge Deposit Account No. 02-2666 for any shortage of fees in connection with this response.

01/30/2004 HLE333 00000036 10765325

03 FC:1460

130.00 OP

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 1/26, 2004


James C. Scheller, Jr.
Reg. No. 31,195

12400 Wilshire Boulevard
Seventh Floor
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"Express Mail" mailing label number: EV 409 362 325 US
Date of Deposit: January 26, 2004

I hereby state that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450

Connie Thayer

(Typed or printed name of person mailing paper or fee)

Connie Thayer

(Signature of person mailing paper or fee)

1-26-04

(Date signed)

Atty. Docket No. 04860.P1637C2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: _____)
John Harvey, III, et al.)
Examiner: Not yet assigned
Application No. _____)
Art Unit: Not yet assigned
Filed: January 26, 2004)
For: RETRIEVAL OF SERVICES BY)
ATTRIBUTE)
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

SUBMISSION OF FORMAL DRAWINGS

Dear Sir:

Transmitted herewith is a complete set of formal drawings, comprising sixteen (16) sheets and sixteen (16) figures for the above-identified application.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: 1/26, 2004



James C. Scheller, Jr.
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EXPRESS MAIL CERTIFICATE OF MAILING

"Express Mail" mailing label number: FV 409 362 325 US

Date of Deposit: Jan 26, 2004